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Attorneys for Plaintiffs,  
WARNER BROS. RECORDS INC.;  
VIRGIN RECORDS AMERICA, INC.;  
BMG MUSIC; MAVERICK  
RECORDINGS COMPANY;  
INTERSCOPE RECORDS; SONY BMG  
MUSIC ENTERTAINMENT; and ARISTA  
RECORDS LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WARNER BROS. RECORDS INC., a Delaware  
corporation; VIRGIN RECORDS AMERICA,  
INC., a California corporation; BMG MUSIC, a  
New York general partnership; MAVERICK  
RECORDINGS COMPANY, a California joint  
venture; INTERSCOPE RECORDS, a California  
general partnership; SONY BMG MUSIC  
ENTERTAINMENT, a Delaware general  
partnership; and ARISTA RECORDS LLC, a  
Delaware limited liability company,  
Plaintiffs,

v.

JOHN DOE,  
Defendant.

CASE NO. 3:07-CV-03094-JCS

Honorable Joseph C. Spero

***EX PARTE APPLICATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND [PROPOSED] ORDER***

1 Plaintiffs respectfully request that the Court continue the case management conference  
2 currently set for December 21, 2007, at 1:30 p.m. to March 21, 2008.

3 Plaintiffs filed the Complaint against Defendant on June 13, 2007. Also on June 13, 2007,  
4 Plaintiffs filed their *Ex Parte* Application for Leave to Take Immediate Discovery seeking the  
5 Court's permission to serve a Rule 45 subpoena on University of California, Berkeley ("UC  
6 Berkeley"), so that Plaintiffs could obtain information sufficient to identify Defendant. On June 26,  
7 2007, this Court issued its Order Granting Plaintiffs' *Ex Parte* Application for Leave to Take  
8 Immediate Discovery authorizing Plaintiffs to serve a Rule 45 subpoena on UC Berkeley. UC  
9 Berkeley responded to Plaintiffs' subpoena, providing Plaintiffs with identifying information  
10 including Defendant's name and contact information.

11 Since that time, Plaintiffs and Defendant have been in contact, and have discussed settlement  
12 options. If the parties reach a settlement, Plaintiffs will promptly file dispositional documents with  
13 the Court. If the parties do not settle, Plaintiffs will file an amended complaint naming Defendant  
14 personally. However, Plaintiffs have agreed not to file an amended complaint until January 7, 2008,  
15 to allow Defendant additional time to assess Plaintiffs' claims.

16 Given the foregoing circumstances, a case management conference is unnecessary at this  
17 time. Plaintiffs therefore request that the Court continue the case management conference currently  
18 set for December 21, 2007, at 1:30 p.m. to March 21, 2008.

19 Dated: December 6, 2007

HOLME ROBERTS & OWEN LLP

20  
21 By: /s/ Matthew Franklin Jaksa  
22 MATTHEW FRANKLIN JAKSA  
23 Attorney for Plaintiffs  
24 WARNER BROS. RECORDS INC.;  
25 VIRGIN RECORDS AMERICA, INC.;  
26 BMG MUSIC; MAVERICK  
27 RECORDINGS COMPANY;  
28 INTERSCOPE RECORDS; SONY BMG  
MUSIC ENTERTAINMENT; and  
ARISTA RECORDS LLC

**ORDER**

Good cause having been shown:

**IT IS ORDERED** that the case management conference currently set for December 21, 2007, at 1:30 p.m. be continued to March 21, 2008.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Honorable Joseph C. Spero  
United States Magistrate Judge